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PROVIDENT LIFE AND ACCIDENT
INSURANCE COMPANY and GROUP
LONG TERM DISABILITY PLAN
for HELLER, ERHMAN, WHITE & MCAULIFFE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PATRICIA GALVIN

Plaintiff,

vs.

PROVIDENT LIFE AND ACCIDENT
INSURANCE COMPANY as Administrator
and Fiduciary of the GROUP LONG TERM
DISABILITY PLAN for HELLER, ERHMAN,
WHITE & MCAULIFFE, and the GROUP
LONG TERM DISABILITY PLAN for
HELLER, ERHMAN, WHITE &
MCAULIFFE,

Defendant.

) Case No.: C07-05195 JF

) **STIPULATION RE TRIAL SCHEDULE;**
) **~~[PROPOSED]~~ ORDER THEREON**

1 In compliance with the Court's order after the Case Management Conference, the parties
 2 have met and conferred regarding the trial date and related matters. The Court previously had
 3 scheduled the hearing on the parties' cross motions for summary judgment for April 3, 2009, but
 4 had instructed the parties to meet and confer on an agreeable hearing date and briefing schedule
 5 if the aforesaid created conflicts for the parties. Accordingly, the parties hereto, by and through
 6 their attorneys of record have met and conferred and in consideration of their respective
 7 calendars hereby stipulate that:

8 On May 29, 2009 the Court will hear the parties' cross motions for summary judgment
 9 and otherwise conduct a bench trial in this matter.

10 The parties will file cross motions for summary judgment per the following schedule:

11 Parties Opening Briefs: April 24, 2009

12 Parties Opposition Briefs: May 15, 2009

13 All matters reserved for consideration by the Court shall be included in the parties'
 14 summary judgment points and authorities, including the appropriate standard of review.

15
 16 **IT IS SO STIPULATED.**

17 ROBOOSTOFF & KALKIN

18
 19 Dated: February 3, 2009

20 By _____/s/_____
 21 Scott Kalkin
 22 Attorney for Plaintiff
 23 PATRICIA GALVIN

24 WILSON, ELSE, MOSKOWITZ, EDELMAN &
 25 DICKER LLP

26 Dated: February 3, 2009

27 By _____/s/_____
 28 Thomas M. Herlihy
 Attorney for Defendants

PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY
 and GROUP LONGER TERM DISABILITY PLAN for HELLER,
 ERHMAN, WHITE & MCAULIFFE

ORDER

1. The parties will file cross motions for summary judgment which shall include all matters reserved for consideration by the Court, including the appropriate standard of review.
2. The parties' opening briefs shall be due April 24, 2009 and responsive briefs shall be due May 15, 2009.
3. The trial will be held at 10:00 a.m. on May 29, 2009, at which time the Court will hear the parties' respective motions for summary judgment.

Date: February 4, 2009



UNITED STATES DISTRICT JUDGE